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7  
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

9 STATE OF CALIFORNIA

10 In the Matter of

FPPC No.: 05/145

11  
12 SOUTHERN WINE & SPIRITS OF  
13 CALIFORNIA, INC.,

STIPULATION, DECISION, and  
ORDER

14  
15 Respondent.

16  
17 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and  
18 Respondent Southern Wine & Spirits of California, Inc. agree that this stipulation will be submitted for  
19 consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

20 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in  
21 this matter and to reach a final disposition without the necessity of holding an administrative hearing  
22 to determine the liability of Respondent.

23 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural  
24 rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in section 18361.1  
25 through 18361.9 of title 2 of the California Code of Regulations. This includes, but is not limited to, the  
26 right to personally appear at any administrative hearing held in this matter, to be represented by an  
27 attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the  
28 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge

1 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

2 It is further stipulated and agreed that Respondent Southern Wine & Spirits of California,  
3 Inc. violated the Political Reform Act by failing to disclose late contributions totaling \$82,000 in  
4 properly filed late contribution reports, in violation of Government Code section 84203, subdivision  
5 (a) (4 counts), and by failing to disclose late contributions in an electronically filed late contribution  
6 report, in violation of Government Code section 84605, subdivision (a) (1 count), as described in  
7 Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein.  
8 Exhibit 1 is a true and accurate summary of the facts in this matter.

9 Respondent agrees to the issuance of the decision and order, which is attached hereto.  
10 Respondent also agrees to the Commission imposing upon it an administrative penalty in the amount  
11 of Twenty Thousand Dollars (\$20,000). A cashier's check from Respondent in said amount, made  
12 payable to the "General Fund of the State of California," is submitted with this stipulation as full  
13 payment of the administrative penalty, to be held by the State of California until the Commission  
14 issues its decision and order regarding this matter. The parties agree that in the event the Commission  
15 refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days  
16 after the Commission meeting at which the stipulation is rejected, all payments tendered by  
17 Respondent in connection with this stipulation shall be reimbursed to Respondent. Respondent further  
18 stipulates and agrees that in the event the Commission rejects the stipulation, and a full evidentiary  
19 hearing before the Commission becomes necessary, neither any member of the Commission, nor the  
20 Executive Director, shall be disqualified because of prior consideration of this stipulation.

21  
22 Dated: \_\_\_\_\_

\_\_\_\_\_  
Mark Krausse, Executive Director  
Fair Political Practices Commission

25  
26  
27 Dated: \_\_\_\_\_

\_\_\_\_\_, on behalf of Southern  
Wine & Spirits of California, Inc., Respondent

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**DECISION AND ORDER**

The foregoing stipulation of the parties “In the Matter of Southern Wine & Spirits of California, Inc., FPPC No. 05/145,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Liane M. Randolph, Chairman  
Fair Political Practices Commission